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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/775,487 | 02/10/2004 | Denise L. Faustman | 00786/457003 | 1044 |

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BOSTON, MA 02110

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| EXAMINER |
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SKELDING, ZACHARY S

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| ART UNIT | PAPER NUMBER |
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1644

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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Commissioner for Patents

Applicant's amendment, filed June 30, 2006, has been entered.

Applicant has elected Group I, without traverse, drawn to a method of treating a mammal having an autoimmune disease with TNF α .

Claims 1-75 are canceled.

Claim 76 has been amended.

Claims 76-82 are pending.

Claims 78, 81 and 82 are withdrawn from further consideration by the Examiner, under 37 C.F.R. § 1.142(b), as being directed to a non-elected invention.

Applicant has NOT elected a specific autoimmune disease to be treated, for example from the diseases recited in claim 80, for example, "diabetes" OR "rheumatoid arthritis," as required in the Species Election of February 28, 2006 (see part 7).

Applicant is required under 35 USC 121 to elect a single disclosed species to which the claims would be restricted if no generic claim is finally held to be allowable.

As the non-compliant amendment is reply to a NON-FINAL OFFICE ACTION, and since the amendment appears to be a bona fide attempt to be a reply (37 CFR § 1.135(c)), applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this notice within which to re-submit the corrected section which complies with 37 CFR § 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Phillip Gambel
PHILLIP GAMBEL, PH.D. J.D.
PRIMARY EXAMINER

721600
9/1/06

Zachary Skelding, Ph.D.
Patent Examiner
September 1, 2006